

FILED & ENTERED

JAN 18 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION**

In re:

Ernest Mikhail Alfon,

Debtor(s).

Onsite Nurse Concierge, LLC,

Plaintiff(s),

v.

Ernest Mikhail Alfon,

Defendant(s).

Case No.: 8:21-bk-11483-SC

CHAPTER 7

Adv No: 8:21-ap-01084-SC

**ORDER DENYING APPLICATION TO
SHORTEN TIME [DK. 81] AND GRANTING
MOTION RE: DEPOSITION**

The Court has considered Defendant's Ex Parte Motion Compelling Depositions of Dennis Lassiter filed January 17, 2023 [Dk. 79] (the "Motion"), the Application Shortening Time filed January 17, 2023, [Dk. 81] (the "Application"), and the docket as a whole, and finds that this matter is appropriate for disposition without a hearing. Having reviewed the foregoing, the Court finds good cause to enter the following order,

DENYING the Application, and GRANTING the Motion:

To say that the Court is disappointed in the lack of civility and unprofessionalism demonstrated by the counsels is a mild understatement. Such conduct will not be permitted moving forward.

This adversary was filed September 17, 2021. Ignoring the lack of civility and unprofessionalism displayed in the emails attached to the Motion, said emails indicate that the parties have been unsuccessful in consensually coordinating mutually acceptable deposition dates for their respective parties. These efforts, especially those of Defendant, have spanned 2022 and now abut the discovery cutoff date, which is January 31, 2023 pursuant to this Court's order entered November 16, 2022 [Dk. 58].


As the Court will not permit the continued apparent gamesmanship, it hereby orders that **the depositions of both parties are to occur prior to January 31, 2023.** The Court notes that the emails attached to the Motion reflect that both counsels have availability during this timeframe and are therefore able to comply with this Order.

The deposition of Dennis Lassiter, for Plaintiff, may occur virtually by Zoom to accommodate his out-of-state location, as suggested by Defendant. Plaintiff's counsel may either be physically or virtually present, at Plaintiff's discretion. Should the deposition occur virtually with Plaintiff's counsel in a separate location, a meeting room is to be created to provide counsel and his client with a private, secure location in which to converse, as necessary.

Defendant's deposition shall occur in person, at Plaintiff's counsel's office.

IT IS SO ORDERED.

Date: January 18, 2023


Scott C. Clarkson
United States Bankruptcy Judge